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TOWN OF SHARON



ANNUAL WARRANT

with Report and Recommendations of the Finance Committee

TOWN ELECTION

Tuesday, May 7, 1996

7:00 A.M. - 8:00 P.M.

Sharon High School Gymnasium

ANNUAL TOWN MEETING

Monday, May 13, 1996

8:00 P.M. Meeting at the

Arthur E. Collins - Auditorium

Sharon High School, Pond Street

PLEASE BRING THIS REPORT TO THE MEETING

YOU MUST BE A REGISTERED VOTER TO
ATTEND THIS MEETING

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1996



OPEN WARRANT MEETING

Thursday, May 2, 1996

8:00 P.M.

**Sharon Town Offices
Hearing Room
(Lower Level)**

INFORMAL DISCUSSION OF SPECIAL ARTICLES AND BUDGET

SPECIAL TOWN MEETING WITHIN THE ANNUAL TOWN MEETING

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either Constable of the Town of Sharon, Greeting:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Sharon qualified to vote in elections and Town affairs to meet at the Arthur E. Collins Auditorium at the Sharon High School on Pond Street in said Sharon on Monday, the 13th of May 1996, at 8:00 P.M., and there to act on the following articles:

ARTICLE 1

To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to acquire by gift, purchase, or eminent domain, under M.G.L. c. 79, an easement or fee simple for purposes of improving a public way, of a portion of that parcel of real estate, consisting of approximately 30 square feet, more or less, in Sharon and located at the intersection of Washington Street, Canton and Sharon Street, Stoughton, commonly known as Cobb Corner. Said land is owned by the Mittell Family Trust, c/o Mobil Property Division, P.O. Box 290, Dallas, TX 75221, or others, and is shown on Sheet 4 of a Plan of land entitled Sharon-Stoughton-Canton-Cobb Corner construction plan, drawn by Bruce Campbell Associates, dated August 15, 1995, a copy of which is on file with the Town Clerk; said parcel is recorded in Norfolk County Registry of Deeds, Book 6199, Page 603; and to raise and appropriate a sum of money for the purpose thereof;

of take any other action relative thereto.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

As this article was received too late for the Finance Committee to review before the publishing deadline, the Finance Committee will make its recommendation at Town Meeting.

ARTICLE 2

To see if the town will vote to authorize the Board of Selectmen, Conservation Commission, Historic District Commission, or other local authority, on behalf of the Town, to seek and obtain registration of Old Post Road, or portions thereof, in the State Register of Historic Places, National Register of Historic Places or a comparable designation that will seek to preserve the historical, cultural, and/or scenic significance of said Road or portions thereof, and to raise and appropriate a sum of money for the purpose thereof;

of take any other action relative thereto.

CONSERVATION COMMISSION

FINANCE COMMITTEE RECOMMENDATION:

As this article was received too late for the Finance Committee to review before the publishing deadline, the Finance Committee will make its recommendation at Town Meeting.

And you are directed to serve this Warrant by posting attested copies of the same in accordance with the Town By-Laws.

Hereof fail not, and make due return of this Warrant with your doings thereon, at the time and place of meeting aforesaid.

Give under our hands this 11th day of April, A.D., 1996.

HENRY D. KATZ, Chairman
RONI THALER
NORMAN KATZ

BOARD OF SELECTMEN
SHARON, MASSACHUSETTS

A True Copy: JOSEPH S. BERNSTEIN, Constable
Sharon, Massachusetts

Date: April 11, 1996

TOWN OF SHARON

FINANCE COMMITTEE INTRODUCTION

Each year, Sharon residents have the opportunity - and the responsibility - to determine the course of our local government. Sharon's Open Town Meeting is a forum for all registered voters to hear the opinions of their neighbors, ask questions, debate issues and vote on the Town's budget and bylaws.

Some of the articles in this year's Warrant are routine, but many have far-reaching financial or operational impacts. Among the significant issues to be decided this year are

- * a proposed operating budget of over \$28,000,000,
- * capital expenditures in excess of \$2,000,000,
- * increasing the Board of Selectmen from 3 members to 5,
- * two different proposals for the High School expansion,
- * acquisition of conservation land,
- * rezoning a parcel of land, and
- * creating a wellhead protection zone.

Please read the Warrant articles carefully. It is the Finance Committee's charge to review and discuss all Warrant articles and recommend action at Town Meeting. All articles presented to the Finance Committee in time for our consideration are accompanied in this Warrant by our recommendations. We encourage you to attend the Open Warrant Meeting on Thursday, May 2 to ask questions and gain additional information about these articles. Then join your fellow citizens at the Annual Town Meeting on Monday, May 13 to listen, debate and vote.

THE FINANCE COMMITTEE

Lee Wernick, Chairman
Paul Bergeron
Paul Bouton
Michael Cope
Raymond Kubiak
Janis Edinburgh
Holly Lite
Richard Ogden
Daniel Sirkin
Colleen Tuck
Arthur Wyn

ANNUAL TOWN MEETING

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either Constable of the Town of Sharon, Greeting:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Sharon qualified to vote in elections and Town affairs to meet at the High School Gymnasium on Pond Street in said Sharon on Tuesday the seventh day of May A.D. 1996, at 7:00 A.M., and there to act on the following articles:

ARTICLE 1

To choose all necessary Town Officers as by law are required to be elected by ballot, and on the ballot prepared by the Town Clerk to wit: One member of the Board of Selectmen, three-year term; one Moderator, three-year term; one Town clerk, three-year term; one member, Board of Assessors, three-year term; two members of the School Committee, three-year terms; one member of the Planning Board, five-year term; two Trustees of the Public Library, three-year terms; one member of the Housing Authority, five-year term; two members, Board of Health, three-year term; two members, Board of Health, two-year term; one member, Board of Health, one-year term; and to determine any questions as by law are required to be determined by ballot, to wit:

QUESTION NO. 1

"Shall the Town vote to have its Selectmen appoint a Board of Health consisting of five members?"

Yes _____
No _____

The following Articles will be acted on at the business meeting of this meeting, to be held by adjournment on Monday, May 13, 1996, at 8:00 P.M. at the Arthur E. Collins Auditorium, Pond Street.

ARTICLE 2

To choose members of the Finance Committee for a three-year term, and to fill any vacancies on said committee.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

The Finance Committee recommends approval and is seeking other interested citizens to join the Committee.

ARTICLE 3

To act upon the reports as printed and to hear any other reports and to act thereon.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

The Finance Committee recommends approval.

ARTICLE 4

To see if the Town will vote to amend the Personnel By-Law of the Town of Sharon, or act in any way relating thereto:

A. By adopting as amendments to said By-Law, the following interim and/or emergency changes, additions or deletions by the Personnel Board in its authority under Section 2.6 of the By-Laws:

- 1) To establish an Interim By-Law change to place the position of Part-Time Social Services Assistant for the Council on Aging in the Miscellaneous Category effective March 29, 1994 with the following salary schedule:

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
\$10.28	\$10.59	\$11.00

- 2) To establish an Interim By-Law change to grant a 3% increase to the Part-Time Social Services Assistant for the Council on Aging to be retroactive to July 1, 1995 with the following rates:

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
\$10.59	\$10.91	\$11.33

- 3) To establish an Interim By-Law change to classify the position of the Van Driver for the Council on Aging to be placed under the

Miscellaneous Category with the following rates:

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
\$7.50	\$7.88	\$8.27

- 4) To establish an Interim By-Law change to change the language in Section 7-6 (the paragraph following Section 7-6 (c)) to read as follows:

No more than 5 days vacation leave shall be carried over to the next calendar year without the approval of the Personnel Board acting on the recommendation of the Department Head. Vacation leave in excess of the 5 days maximum carryover must be used prior to the start of the leave year or it is forfeited unless approved by the Personnel Board. Employees are advised to request such leave and have it approved well in advance to avoid forfeiture.

- 5) To grant a 3% increase for Step 1 in the ITS Contract to be retroactive to July 1, 1995.
- 6) To establish an Interim By-Law change to create a new part-time secretarial position for the Zoning Board of Appeals to be classified as a Group III position to be effective July 1, 1996.
- 7) To create a new Step 4 for the Administrative Secretary to the Finance Committee at the rate of \$12.01 per hour to be effective July 1, 1996.
- B. By striking out all classification schedules and pay schedules in Appendix A and substituting new classification schedules and new pay schedules Appendix A and B as of July 1, 1996 and effective new dates where applicable.

APPENDIX A

THE FOLLOWING POSITIONS CONTAINED WITHIN CLASSIFICATION SCHEDULE SECTION ENTITLED 1.100-1.300 WITH ASSOCIATED PAY SCHEDULE SECTION 2.100-2.300 ARE NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

EXECUTIVE CATEGORY JULY 1, 1996 - JUNE 30, 1997

SECTION 1.100 CLASSIFICATION SCHEDULE

SECTION 2.100 PAY SCHEDULE/ANNUALLY

CODE

E-2	Superintendent of Public Works	\$66,790
E-3	Town Engineer	59,150
E-4	Town Accountant	46,718
E-5	Recreation Director	50,000
E-6	Library Director	43,775
E-8	Assistant Assessor	43,597
E-9	Council on Aging Exec. Dir.	37,936
E-10	Police Chief	77,000
E-11	Fire Chief	64,660
E-12	Treasurer/Collector D.P. Mgr.	65,000

SECTION 1.200 CLASSIFICATION SCHEDULE

SECTION 2.200 PAY SCHEDULE

ADMINISTRATIVE SECRETARY
BOARD OF SELECTMEN (wkly) \$671.61

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
SECY-BOARD OF SELECT/EXEC. SECY (hrly)	\$9.82	\$10.51	\$11.26	\$12.02	\$12.34

MISCELLANEOUS

SECTION 1.300
CLASSIFICATION SCHEDULE

SECTION 2.300
PAY SCHEDULE

EFFECTIVE JULY 1, 1996

TITLE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
VETERANS' AGENT (YRLY)					9,334.00
SEALER OF WEIGHTS/MEASURES (YRLY)					1,500.00
ANIMAL CONTROL OFFICER FILL-IN (DAILY)					35.00
ANIMAL INSPECTOR (YRLY)					1,000.00
CUST/MAINT (HOURLY)	4.91	5.23	5.55	5.89	
DPW TEMP/SUMMER LABOR (HRLY)	6.36	6.97	7.62		
LIBRARY PAGE (HRLY)	4.74	4.92	5.12	5.33	
ADM. SECRETARY - FINANCE COMM. (HRLY)	9.48	10.59	11.44	12.01	
VAN DRIVER - COUNCIL ON AGING (HRLY)	7.50	7.88	8.27		
SOCIAL SERVICES ASSISTANT - COUNCIL ON AGING (HRLY)	10.59	10.91	11.33		

SUMMER EMPLOYMENT - PART-TIME
EFFECTIVE May 1, 1996 (HRLY)

	<u>STEP 1</u>	<u>STEP 2</u>
Waterfront Supervisor	\$7.71	\$8.10
Water Safety Instructor	6.42	6.74
Lifeguard	5.78	6.07
Head Gateguard	5.78	6.07
Gateguard	5.14	5.39
Sailing Supervisor	7.42	7.74
Sailing Instructor	6.42	6.74
Playground/Camp Supervisor	7.42	7.74
Playground/Camp Counselor	6.42	6.74
Tag & Sticker Clerk	7.00	7.35

NOTE: Executive and certain Miscellaneous Category positions represent the joint recommendations of the Personnel Board and the appropriate appointing authority (i.e., Board of Selectmen, Library Trustees and Assessors).

APPENDIX B

THE FOLLOWING POSITIONS CONTAINED WITHIN CLASSIFICATION SCHEDULE SECTIONS ENTITLED 1.400-1.800 WITH ASSOCIATED PAY SCHEDULE SECTIONS 2.400-2.800 ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

ADMINISTRATIVE, TECHNICAL AND PROFESSIONAL CATEGORY
JULY 1, 1995 - JUNE 30, 1996*
2 3/4% INCREASE

SECTION 1.400
CLASSIFICATION SCHEDULE
GROUP I

SECTION 2.400
PAY SCHEDULE/WEEKLY

TITLE	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Super.Hwy. Oper.	583.10	623.94	667.60	714.32	764.33
Super.Water	583.10	623.94	667.60	714.32	764.33
Bldg.Insp.	583.10	623.94	667.60	714.32	764.33
Pub.Health Nurse**	364.31	389.96	417.26	446.45	477.68

GROUP IA

Lieutenant, Police Dept.	1,072.20	1,104.36	1,137.48	1,171.62	1,206.77
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GROUP II

DPW Adm. Asst.	553.57	592.31	633.78	678.12	725.59
Sr.Eng.Aide	553.57	592.31	633.78	678.12	725.59
Asst.Rec. Dir.***	553.57	592.31	633.78	678.12	725.59
Conservation Officer	553.57	592.31	633.78	678.12	725.59
Supervisor, Forestry & Grounds	553.57	592.31	633.78	678.12	725.59

GROUP II-A

Asst.Oper. Super.	525.53	561.85	600.98	642.92	689.04
Eng.Aide	525.53	561.85	600.98	642.92	689.04
Eng.Aide/GIS Tech.	525.53	561.85	600.98	642.92	689.04
Athletic Sup.Rec.	525.53	561.85	600.98	642.92	689.04

GROUP II-B

DP Sys. Admin.	606.57	649.04	694.48	743.10	795.10
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GROUP III

Animal Control Officer	351.70	376.71	397.43		
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*This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

**25 hour week

***37 1/2 hour week

INDUSTRIAL, TRADE AND SERVICES CATEGORY
JULY 1, 1995 - JUNE 30, 1996*

SECTION 1.500
CLASSIFICATION SCHEDULE

SECTION 2.500
PAY SCHEDULE/HOURLY

	CODE	STEP 1	STEP 2	STEP 3	STEP 4
Working Foreman (Water)	ITS-3A	14.05	14.40	14.70	15.07
Senior Water Systems Tech.	ITS-3A	14.05	14.40	14.70	15.07
Working Foreman	ITS-3	13.64	13.99	14.29	14.65
Master Mechanic	ITS-4	13.15	13.45	13.74	13.99
Aerial Lift Oper.	ITS-4	13.15	13.45	13.74	13.99
Sign Maker	ITS-4	13.15	13.45	13.74	13.99
Water Systems Tech.	ITS-5A	12.66	13.06	13.36	13.69
Spec.Hvy.Equip.Oper.	ITS-5	12.29	12.66	12.96	13.29
Night Custodian**	ITS-5	12.29	12.66	12.96	13.29
Auto Equip.Op.	ITS-6	11.95	12.23	12.45	12.75
Skilled Laborer	ITS-6	11.95	12.23	12.45	12.75
Main.Man-Cust	ITS-6	11.95	12.23	12.45	12.75
Labor Group II	ITS-7	11.24	11.51	11.78	12.04
Labor Group III	ITS-8	10.83	11.02	11.28	11.51
Auxiliary Labor	ITS-9	10.33	10.54	10.70	10.87

*This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

**Night Custodian -- Employees holding job title "Night Custodian" position classification ITS-5 shall, in addition to the regular hourly rate of compensation associated with the same, be compensated the sum of thirty dollars (\$30.00) for each week.

OFFICE OCCUPATION CLASSIFICATION

SECTION 1.600
CLASSIFICATION SCHEDULE

SECTION 2.600
PAY SCHEDULE/HOURLY

GROUP I
ASSISTANT TOWN CLERK
ASSISTANT TREASURER
ASSISTANT TOWN ACCOUNTANT/ASSISTANT TO VETERANS' AGENT
POLICE SECRETARY
ASSISTANT COLLECTOR
ADMINISTRATIVE ASSISTANT/ASSESSOR'S OFFICE

GROUP II
ASSISTANT TOWN ACCOUNTANT
LIBRARY CIRCULATION SUPERVISOR
ADMINISTRATIVE ASSISTANT - LIBRARY
ASSESSOR - CLERK I
EDP OPERATOR-SENIOR BOOKKEEPER
ELECTION/REGISTRATION SECRETARY CLERK
ADMINISTRATIVE ASSISTANT-HEALTH DEPARTMENT
ADMINISTRATIVE ASSISTANT-PLANNING BOARD
ADMINISTRATIVE ASSISTANT-COUNCIL ON AGING
TREASURY SUPERVISOR
COLLECTION SUPERVISOR

GROUP III

DPW SECRETARY
 SECRETARY/CLERK ACCOUNTING/VETERANS' AGENT
 SECRETARY-PERSONNEL BOARD
 POLICE CLERK
 SECRETARY CLERK ACCOUNTANT
 SENIOR BOOKKEEPER-TREASURER
 SECRETARY-FIRE DEPARTMENT
 LIBRARY TECHNICAL SERVICE ASSISTANT
 SECRETARY-ZONING BOARD OF APPEALS

GROUP IV

SECRETARY-RECREATION
 LIBRARY ASSISTANT
 CASHIER CLERK
 SECRETARY-CONSERVATION COMMISSION
 ASSESSOR-CLERK 2
 JUNIOR BOOKKEEPER-REAL ESTATE

SECTION 1.600
 CLASSIFICATION SCHEDULE

SECTION 2.600
 PAY SCHEDULE/HOURLY

JULY 1, 1994 - JUNE 30, 1995*

CODE	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
GROUP I	11.30	12.07	12.95	13.83	14.19
GROUP II	10.24	10.94	11.74	12.52	12.85
GROUP III	9.25	9.90	10.61	11.33	11.63
GROUP IV	8.38	8.93	9.56	10.28	10.53

LIBRARY - RECREATION DEPARTMENT

TITLE	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
GRADE I Library/Comm'ty Center Custodian & Custodial Maintenance	8.62	9.16	9.76	10.34	10.89
GRADE II Library/Comm'ty Center Custodian	7.82	8.33	8.87	9.40	9.89

WEEKLY

Bus Driver/ Weekly	306.21	329.11	349.97	372.86	393.83
ATP 9A Head Info.Serv./ Asst.Dir.	472.49	505.66	541.04	578.93	619.41
ATP 9B Child. Serv.Librarian	445.74	477.04	510.43	546.15	584.36
Tech Services Librarian	445.74	477.04	510.43	546.15	584.36
ATP 9 Information Ser.Librarian	419.02	448.42	479.80	513.38	549.30

*This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

PUBLIC SAFETY CATEGORY

SECTION 1.700
CLASSIFICATION SCHEDULE

SECTION 2.700
PAY SCHEDULE/WEEKLY

POLICE DEPARTMENT JULY 1, 1995 - JUNE 30, 1996* (3%)

TITLE	CODE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
Police Chief	PD-110					\$1,480.77**
Sergeant	PD-80					752.13
Patrolman	PD-60	513.69	548.22	584.39	627.55	
		PD-60A	PD-60B	PD-60C	PD-60D	
		1ST YR.	2ND YR.	3RD YR.	4TH YR.	

POLICE DISPATCHERS JULY 1, 1995 - JUNE 30, 1996*

TITLE	CODE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
CIVILIAN DISPATCHER (HRLY)	PD-40	9.12	9.75	10.40	11.05	11.82

POLICE CROSSING GUARDS

JULY 1, 1995 - JUNE 30, 1996*

TITLE	CODE	STEP 1	STEP 2	STEP 3
SCHOOL CROSSING GUARD (DAILY)	PD-20	23.76	25.90	28.48
SCHOOL CROSSING GUARD SUPERVISOR (DAILY)	PD-20A			35.65

PD-20 and PD-20A--The amounts of pay shown in the above schedule shall be paid in the event that school is canceled due to snow.

The amounts of pay shown in the above schedule do not include the extra pay for educational qualifications provided for in the statutes and regulations of the State.

Members of the Police Department while so designated by the Chief of Police shall receive additional compensation to be considered part of their base pay as follows:

DETECTIVE PATROLMAN	\$35.00 PER WEEK
POLICE PROSECUTOR	\$35.00 PER WEEK
MOTORCYCLE OPERATOR (SELECTIVE ENFORCEMENT)	\$17.54 PER WEEK
ACCREDITATION MANAGER, COMPUTER MANAGER	\$17.54 PER WEEK
DARE PROGRAM COORDINATOR	\$17.54 PER WEEK
CRIME PREVENTION OFFICER	\$17.54 PER WEEK

SPECIAL ASSIGNMENT OFFICER

\$17.54 PER WEEK

The pay of the Police Chief, including all overtime pay and extra pay for educational qualifications, shall be limited to \$77,000.00 effective 7/1/96 (Non-Civil Service).

Any patrolman, appointed without being required to take the written examination, shall be paid the base pay rate called for by step 1 of the pay schedule for a period of six months following his appointment, and, upon the expiration of said six-month period, shall be paid the base pay rate provided for by step 2 unless he shall have previously been employed full time as a police officer, in which case he shall be paid the base pay rate under the step he would have been paid if his prior employment had been in the Sharon Police Department. Notwithstanding the step increase or increases provided herein, a patrolman's probationary period shall be the probationary period provided for in 5-5 of this By-Law or in the collective bargaining agreement, whichever is applicable.

*This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

**The salary of the Police Chief is effective 7/1/96 through 6/30/97.

FIRE DEPARTMENT

SECTION 1.800
CLASSIFICATION SCHEDULESECTION 2.800
PAY SCHEDULE/WEEKLY

JULY 1, 1996 - JUNE 30, 1997

TITLE	CODE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
FIRE CHIEF	100					\$1,243.46

JULY 1, 1995- JUNE 30, 1996 (3%)*

TITLE	CODE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
DEP.CH.	FD-95					758.63
CAPT.	FD-90					722.06
LT.	FD-80					714.33
FF.	FD-60	511.90	542.43	571.25	610.13	
		A	B	C	D	

Members of the Fire Department in the above classifications who become certified, are certified or are recertified as Emergency Medical Technicians shall receive an annual stipend. Employees not now certified will be given the opportunity to obtain such certification, one at a time. Employees taking the certification course a second or subsequent time will receive overtime payments and tuition reimbursement only upon passing the EMT examination and becoming certified.

Members of the Fire Department are eligible to receive additional compensation in each fiscal year in accordance with the following educational incentive program:

For Fire Science Course approved in advance by the Fire Chief and successfully passed and credits certified, members of the Fire Department in the above classifications shall receive additional compensation in each fiscal year in accordance with the following schedule:

FOR 15 COURSE CREDITS CERTIFIED	\$ 200 ANNUALLY
FOR 30 COURSE CREDITS CERTIFIED	400 ANNUALLY
FOR AN ASSOCIATE'S DEGREE CERTIFIED	1,000 ANNUALLY
FOR A BACHELOR'S DEGREE CERTIFIED	1,500 ANNUALLY

Payments for Emergency Medical Technician Certification Program shall be made on the second pay in the month of November. Educational Incentive, effective 7/1/95, shall be added to base wage.

CALL FIREFIGHTERS
HOURLY COMPENSATION RATE

7/1/95 - 6/30/96*
\$8.63/Hr.

*This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

FINANCE COMMITTEE RECOMMENDATION:

This is the standard pro-forma Article designed to adopt amendments to the Personnel By-Laws and ratify negotiated salaries.

The Finance Committee recommends approval. Vote: 7-0-2

ARTICLE 5

To fix the compensation of elected officers, provide for a Reserve Fund, and to determine what sums of money the Town will raise and appropriate, including appropriation from other available funds, to defray charges and expenses of the Town, including debt and interest, for the Fiscal Year beginning July 1, 1996, or act in any way relating thereto.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

The Finance Committee recommends approval. Vote: 8-0-1

ARTICLE 6

To see if the Town will vote to reauthorize a revolving fund to be known as the School Bus Revolving Fund in accordance with the provisions of Chapter 44, Section 53E ½ or act in any way related thereto.

The purpose of this fund shall be to support the fee-based

student transportation system established for those students not eligible for free transportation. Receipts to be deposited to this fund shall be monies collected from parents and guardians of students who are not eligible for free transportation and who wish to purchase school bus transportation. The Superintendent of Schools, with the approval of the School Committee, shall be authorized to expend from the fund. Expenditures in Fiscal Year 1997 shall not exceed the balance in the fund carried forward from Fiscal Year 1996 plus monies deposited into the fund during FY 1997 and in any event shall not exceed \$100,000.

SCHOOL COMMITTEE

FINANCE COMMITTEE RECOMMENDATION:

The acceptance of this Article will reauthorize the School Bus Revolving Fund. This Article as well as Articles 7,8,9,10 and 11 reauthorize Revolving Funds established at prior Town Meetings. State law requires an annual vote to keep these funds in existence.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 7

To see if the Town will vote to reauthorize a revolving fund first established for Fiscal Year 1992, known as the Street Opening Fund as provided by M.G.L., Chapter 44, Section 53E ½.

The purpose of this fund is to defray the cost of making permanent repairs to openings in Town streets by utility companies, contractors and/or the Town Water Division.

Receipts to be deposited in this fund shall be monies paid by utility companies, contractors and/or the Water Division in accordance with the requirements of the Town of Sharon Street Opening Manual. The Superintendent of Public Works, with the approval of the Board of Selectmen, shall be authorized to expend from this fund. Expenditures in Fiscal Year 1997 shall not exceed the balance in the fund carried forward from Fiscal Year 1996 plus monies deposited into the fund in Fiscal Year 1997 and in any event shall not exceed \$75,000.

Or take any other action relative thereto.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article will reauthorize the Street Opening Revolving Fund. This fund allows the Town to bill utility companies and contractors for street cuts and then pay a contractor for the repairs. It is the understanding of the Finance Committee that assets currently in this Fund will be transferred to the General Fund at the end of the fiscal year.

The Finance Committee recommends approval. Vote: 8-0-1

ARTICLE 8

To see if the Town will vote to reauthorize a revolving fund first established for Fiscal Year 1991 known as the Recycling Fund as provided by M.G.L., Chapter 44, Section 53E ½.

The purpose of this fund is to support the recycling program of the Town of Sharon and to purchase and install shade trees and shrubs to be planted in the public ways of the Town and otherwise as provided for in Section 7, Chapter 87 of the General statutes. Receipts to be deposited to this fund shall be monies derived from the sale of recycled materials including, but not limited to, newspaper, glass, metals and plastics, the sale of leaf bags, and disposal fees for certain special wastes generated by the citizens of Sharon including, but not limited to, batteries, tires, and used motor oil and white goods, and an amount equal to the number of tons of material recycled times the Tipping Fee at the SEMASS facility to be transferred from the Tipping Fee Escrow Fund. The Superintendent of Public Works, with the approval of the Board of Selectmen, shall be authorized to expend from this fund. Expenditures in Fiscal Year 1997 shall not exceed the balance in the fund carried forward from Fiscal Year 1996 plus monies deposited into the fund during Fiscal Year 1997, and in any event shall not exceed \$50,000.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article will reauthorize the Recycling Fund. This fund pays for recycling calendars, bags and bins. Any remaining funds are used to finance tree planting.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 9

To see if the Town will vote to reauthorize a revolving fund to be known as the Cable TV Relicensing Fund in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53E½.

The purpose of this fund is to prepare for future cable relicensing. Receipts to be deposited to this fund shall be solely derived from the annual proceeds received by the Town in fiscal year 1997 from Cablevision Industries, Inc., or its successor, under Section 27 - License Fee, required by the Final License dated 10/27/83, as amended. This section requires that to the extent authorized by Chapter 166A of the General Laws of Massachusetts, and permitted by Federal Communication Commission regulations, 50 cents per subscriber be forwarded to the Town annually, and in any event, the total amount which may be expended from such fund for Fiscal Year 1997 shall not exceed \$7,000.

Any unused balance shall, subject to subsequent Town Meeting authorization, carry forward for the benefit of Sharon cable subscribers to cover any costs incurred at the time of license renewal.

The Board of Selectmen shall have the authority to expend from this fund.

Or act in any way thereto.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article will reauthorize the Cable Television Revolving Fund. This fund is used to pay for the expenses associated with contract negotiations with the cable company. Revenues to the Fund are received from the Town's cable television contractor.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 10

To see if the town will vote to reauthorize a revolving fund known as the "Conservation Commission Advertising Revolving Fund" in accordance with M.G.L. Chapter 44, Section 53E½.

The purpose of this fund shall be to defray the cost of advertising for hearings and meetings before the Sharon Conservation Commission. Receipts to be deposited in this fund shall be monies paid by persons requesting hearings before the Sharon Conservation Commission. The Conservation Commission shall be authorized to expend from this fund. Expenditures in fiscal year 1997 shall not exceed \$2,250, or act in any way relating thereto.

CONSERVATION COMMISSION

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article will reauthorize the Conservation Commission Advertising Revolving Fund. This fund pays for the printing of the Conservation Commission's legal notices.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 11

To see if the Town will vote to reauthorize a revolving fund first established for fiscal year 1993 known as the Library Materials Replacement Fund in accordance with M.G.L., Chapter 44, Section 53E ½.

The purpose of this fund is to acquire equivalent Public Library materials to replace items lost by those who borrow such materials. Receipts to be deposited in this fund shall be monies paid by the borrowers of the lost materials. Such monies represent the replacement cost of the material. The Library Director, with the approval of the Library Board of Trustees, shall be authorized to expend from this fund. Expenditures in Fiscal Year 1997 shall not exceed the balance in the fund carried forward from Fiscal Year 1996 plus receipts deposited into the fund during Fiscal Year 1997 and in any case shall not exceed \$3,000.

Or act in any war related thereto.

LIBRARY BOARD OF TRUSTEES

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article will reauthorize the Library Revolving Fund. Revenues for this Fund come from library fines for lost and damaged library materials and pay for their replacement.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 12

To hear the records of the donors of the Sharon Friends School Fund and to choose trustees of the School Funds and other officers not on the official ballot.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

This is a standard pro-forma Article.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 13

To see if the Town will vote to raise and appropriate a sum of money to be added to the special fund established to pay the Norfolk County Retirement Board for the Annual Assessment costs chargeable to the Town, and determine whether the money shall be provided by taxation, by transfer from available funds, by a combination thereof, or act in any way relating thereto.

TOWN ACCOUNTANT

FINANCE COMMITTEE RECOMMENDATION:

The Town pays for its retirement costs based on estimated actuarial needs provided by the Norfolk Retirement Board.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 14

To see if the Town will vote to raise and appropriate a sum of money for the purpose of services to perform an annual audit of accounts of the Town of Sharon for the fiscal year 1996 in accordance with Chapter 44, Section 40, of the General Laws of the Commonwealth, and to determine whether to meet said appropriation by taxation, by transfer from available funds, by a combination thereof, or act in any way relating thereto.

TOWN ACCOUNTANT

FINANCE COMMITTEE RECOMMENDATION:

This Article authorizes the expenditure of up to \$28,000 to pay for independent auditors to perform a State mandated annual audit of the Town's financial records for the year ending June 30, 1996. The Town has utilized the same independent auditor for several years without putting the services out for a competitive bid. It is the recommendation of the Finance Committee that as a matter of policy the annual audit should be put out for a bid at least every three to five years.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 15

To see if the Town will vote to raise and appropriate \$28,000 for the updating of all property assessments for Fiscal 1998 in accordance with the General Laws of Massachusetts, Chapter 59, Section 38, and to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

BOARD OF ASSESSORS

FINANCE COMMITTEE RECOMMENDATION:

Passage of this Article authorizes the Town to appropriate \$28,000 to undertake the State mandated property revaluation, which is required every three years.

The Finance Committee recommends approval. Vote: 8-0-1

ARTICLE 16

To see if the Town will vote to raise and appropriate a sum of money for constructing and reconstructing curbs and sidewalks, for preservation and restoration of publicly-owned freshwater lakes and great ponds, and for the reconstructing or resurfacing of public ways for the Department of Public Works; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

DEPARTMENT OF PUBLIC WORKS

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article allows the Town to borrow funds for the following projects:

- a. \$225,000 for the ongoing curb and sidewalk program.
\$25,000 of this appropriation represents bonding costs;
- b. \$600,000 for street maintenance and rehabilitation. This represents the third year of the roadway management study program;
- c. \$ 50,000 for repairs of the eastern retaining wall as well as an hydraulic analysis of a breach at the Manns Pond Dam.

\$875,000 Total.

The Finance Committee recommends approval. Vote: 6-2-1

ARTICLE 17

To see if the Town will vote to raise and appropriate a sum of money for the purchase of additional departmental equipment for the **Department of Public Works**; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

DEPARTMENT OF PUBLIC WORKS

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article allows the Town to borrow funds for the following equipment:

- a. \$25,000 to replace Unit #2, a pickup truck;
- b. \$65,000 for a new holder, sidewalk tractor, mower, plow;
- c. \$35,000 to replace old Truck #24, handed down from the Water Department;
- d. \$5,000 for a new tank and pump system for water/calcium chloride;

- e. \$4,000 X Mark 50" mower attachment for existing holder;
- f. \$5,000 stainless steel sander attachment for existing truck;
- g. \$20,000 new/used vibratory sidewalk roller;
- h. \$6,000 for a new plow;
- i. \$5,000 for four new portable radios.

\$170,000 Total

The Finance Committee recommends approval. Vote: 6-2-1

ARTICLE 18

To see if the Town will vote to raise and appropriate a sum of money for the removal of asbestos from municipally owned buildings and to authorize the Board of Selectmen to enter such agreements as they deem necessary for the purposes thereof; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

At the time of the printing of the Warrant, a cost had not been established. The Finance Committee will make its recommendation at Town Meeting.

ARTICLE 19

To see if the Town will vote to raise and appropriate a sum of money for remodeling, reconstructing, and making extraordinary repairs to public school buildings, for reconstructing recreational and athletic facilities, for the development, design, purchase, and installation of computer hardware and other data processing equipment, and for the purchase of additional departmental equipment for the School Department; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

SCHOOL COMMITTEE

Finance Committee Recommendation:

This Article allows the Town to borrow funds for the following School Department projects:

- a. \$400,000 for implementation of the HVAC system recommendations for upgrading at the Cottage Street School;
- b. \$100,000 to design, construct and install ADA compliant playground equipment and surfaces at the Cottage Street School;
- c. \$8,000 to replace existing furniture in disrepair at East and Cottage Street Schools;
- d. \$10,000 to repair ceilings, lights and partitions at all Middle School lavatories;
- e. \$45,000 to remodel the large lecture hall at the High School to create three additional classrooms, a special needs room and an additional art room;;
- f. \$26,465 to provide the Science Department with new furniture and equipment and replace broken/damaged library chairs. All equipment is for the High School;
- g. \$152,800 to implement Phase V of the Technology Plan;
- h. \$20,000 to implement Phase III of the ADA compliance plan.

\$762,265 Total

This amount excludes \$7,735 for a cedar fence abutting the High School septic field which was approved by the Capital Outlay Committee. The High School expansion Article includes a sewage processing plant in this area, a fact unknown by the Capital Outlay Committee at the time of their vote.

The Finance Committee recommends approval. Vote: 6-2-1

ARTICLE 20

To see if the Town will vote to raise and appropriate a sum of money for remodeling, reconstructing, and for making extraordinary repairs to the Community Center, for reconstructing recreational and athletic facilities, and for the purchase of additional

departmental equipment for the Recreation Department; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

RECREATION DEPARTMENT

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article allows the Town to borrow funds for the following projects and equipment:

- a. \$5,000 to hire a consultant to make recommendation for improving the Community Center heating system;
- b. \$7,000 to retile the lobby floor of the Community Center;
- c. \$125,000 to reconstruct five ball diamonds at the Deborah Sampson Park. This project is to include irrigation, sod and fencing;
- d. \$6,500 to purchase three aluminum flotation units for boat launching;
- e. \$3,500 for eight picnic tables for the Memorial Park
_____ Beach and Park areas.

\$147,000 Total

The Finance Committee recommends approval. Vote: 6-1-2

ARTICLE 21

To see if the Town will vote to raise and appropriate a sum of money for the purchase of additional departmental equipment for the Fire Department; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

FIRE DEPARTMENT

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article allows the Town to borrow funds for the following equipment:

- a. \$38,500 to replace a 1971 brush truck for which

replacement parts are not available;

- b. \$13,000 to replace a 36 year old municipal fire alarm main control panel.

\$51,500 Total

The Finance Committee recommends approval. Vote: 8-0-1

ARTICLE 22

To see if the Town will vote to raise and appropriate a sum of money for the purchase of additional departmental equipment for the **Data Processing Department**; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

DATA PROCESSING DEPARTMENT

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article allows the Town to borrow funds for the following acquisitions:

\$25,000 to purchase hardware and software to enhance data communications, production and paper handling.

\$25,000 Total

The Finance Committee recommends approval. Vote: 6-1-2

ARTICLE 23

To see if the Town will vote to raise and appropriate a sum of money for the purchase of additional departmental equipment for the **Police Department**; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

POLICE DEPARTMENT

FINANCE COMMITTEE RECOMMENDATION:

This Article allows the Town to borrow funds for the following equipment:

a. \$10,000 to replace current copier with an updated model

\$10,000 Total

The Finance Committee recommends approval. Vote: 7-1-1

ARTICLE 24

To see if the Town will vote to raise and appropriate a sum of money for the costs of engineering and architectural services and the subsequent remodeling, reconstructing, and making extraordinary repairs to and constructing, originally equipping, and furnishing an addition to the Sharon High School to create additional classroom spaces and to enhance and improve the library/media center and to determine whether this appropriation shall be raised by borrowing or otherwise,

or to take any further action relative thereto.

SCHOOL COMMITTEE

FINANCE COMMITTEE RECOMMENDATION:

The text of this Warrant Article was not available to the Finance Committee prior to the publication of this Warrant. The Finance Committee has held two hearings on the School Committee's proposal regarding the High School expansion project. The Finance Committee supports in concept, by a vote of 5-3-1, the School Committee's proposal, at a total cost of \$6,628,585. The Finance Committee will make its final recommendation at Town Meeting.

MINORITY REPORT:

The minority was of the opinion that the Town should appropriate \$405,000 for the design of the expansion and hiring of a project manager before the total cost of the High School expansion is reviewed and appropriated.

ARTICLE 25

To see if the Town will vote to establish a Committee to be known as the High School Expansion Project Committee, to be made up of five members as follows: one member from the Sharon School Committee to be chosen by that Committee, and four members to be chosen by the Moderator, with vacancies to be filled by vote of the

remaining members of the Committee, said Committee to be established for the purpose of determining the extent of necessary high school facilities, and the preparing of working drawings and specifications for an addition and renovation of the high school building, and to contract for architectural, engineering, and consultant services,

or act in any way related thereto.

SCHOOL COMMITTEE

FINANCE COMMITTEE RECOMMENDATION:

As of the publication deadline for the Warrant, the text of this Warrant Article was not available to the Finance Committee. The Finance Committee will make its final recommendation at Town Meeting.

ARTICLE 26

To see if the Town will vote to establish a Committee to be know as the High School Expansion Project Committee, to be made up of five members as follows: one member to be appointed by the Sharon School Committee, and four members to be appointed by vote of the Town under this article, with vacancies to be filled by vote of the remaining members of said Committee; said Committee to be established for the purpose of determining the extent of necessary school facilities, and the preparing of working drawings and specifications for an addition and renovation of a school building or buildings, and to contract for architectural, engineering, and consultant services, or act in any other way related thereto.

RICHARD KRAMER

FINANCE COMMITTEE RECOMMENDATION:

The traditional procedure for appointment to a school building committee is to have one member appointed by the School Committee and the other four by the Moderator. We believe this procedure better ensures that well-qualified individuals with a variety of technical expertise are chosen for this complex task.

The Finance Committee recommends indefinite postponement.
Vote: 7-1-1

ARTICLE 27

To see if the Town will, for the purposes of creating additional classroom spaces and to enhance and improve the Sharon High School library/media center, vote to

- 1.) raise and appropriate a sum of money for the costs of engineering and architectural services and the subsequent acquisition of land and/or buildings and the remodeling, reconstructing, and making extraordinary repairs to, and constructing originally equipping, and furnishing an addition to the Sharon High School and other land and buildings, if any, acquired pursuant to action under this article; and
- 2.) purchase, take by eminent domain, or otherwise acquire certain land and/or buildings, to wit: the land with the buildings thereon situated at 175 Pond Street, Sharon, Norfolk County, Massachusetts, listed in the Sharon Assessors Office as parcel number 081-123-000, and now or formerly owned by Miste Realty Trust, Mansfield, Massachusetts, Philip Finer, Trustee; and
- 3.) to determine whether the appropriation shall be raised by borrowing or otherwise, or act in any other way related thereto.

RICHARD KRAMER

FINANCE COMMITTEE RECOMMENDATION:

The Finance Committee believes that this authorization to take property by eminent domain should not be voted unless and until it has been conclusively demonstrated that the property is necessary for the Town's needs. This necessity has not been demonstrated in this case.

The Finance Committee recommends indefinite postponement.

Vote: 7-0-2

ARTICLE 28

To see if the Town will vote to raise and appropriate a sum of money for the costs of engineering and architectural services and the subsequent remodeling, reconstructing, and making extraordinary repairs to, and constructing originally equipping, and furnishing an addition to the Sharon High School to create a television studio and to determine whether this appropriation shall be raised by borrowing or otherwise, or act in any other way related thereto.

RICHARD KRAMER

FINANCE COMMITTEE RECOMMENDATION:

The television studio has been incorporated into the High School Expansion Project as presented by the School Committee.

The Finance Committee recommends indefinite postponement.

Vote: 8-0-1

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ARTICLE 29

To see if the town will vote to amend the General By-Laws of the Town of Sharon as follows:

I. That the Town, pursuant to the provisions of Massachusetts General Laws Chapter 41, section 23, rescind such portion of its previous vote that authorized the Board of Selectmen to act as its Board of Health under Article 1, Question 1, of the 1966 Annual Town Meeting; and that thereupon there be established a Board of Health composed of five members elected for three year terms, such members to be initially nominated and elected for one, two or three years in accordance with the provisions of said Chapter 41, section 23, such election to be held at the next Special or Annual Town Meeting.

II. That the Board of Health will manage the Health Department, the Health Department budget, and its employees and assume or act, in any way related thereto, any authority and responsibilities as proscribed by Massachusetts General laws and the Sharon General By-Laws and the Rules and Regulations of the Board of Health.

LISE D. RUBIN

FINANCE COMMITTEE RECOMMENDATION:

This Article was voted on in the February 1996 Special Town Meeting.

The Finance Committee recommends indefinite postponement.

Vote: 8-0-1

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ARTICLE 30

To see if the Town will vote to increase the number of Selectmen from three (3) to five (5) and establish the day and manner in which the additional Selectmen shall be elected, or act in any other way relating thereto.

EDWARD J. RUVICH

FINANCE COMMITTEE RECOMMENDATION:

This Article would increase the number of Selectmen from three to five. The Government Study Committee recommended indefinite postponement of this Article until it has adequate time to thoroughly study this issue. The Finance Committee recommends indefinite postponement and requests that the Government Study Committee review this Article during the fall of 1996

The Finance Committee recommends indefinite postponement.
Vote: 6-2-1

ARTICLE 31

To see if the Town will vote to ammend Article 1, Section 2 of the General By-Laws of the Town by adding at the end of Section 2 the words:

"In no case shall the Selectmen close the warrant of the annual meeting or any special meeting of the Town to the incorporation therein of additional articles more than 60 days prior to the day appointed for said annual or special meeting of the Town.",

or act in any other way related thereto.

EDWARD J. RUVICH

FINANCE COMMITTEE RECOMMENDATION:

It is the Finance Committee's view that this Article would not provide the Finance Committee with sufficient time prior to the publication deadline of the Warrant to schedule hearings and to study and make its recommendations regarding the Warrant Articles.

The Finance Committee recommends indefinite postponement.
Vote: 7-0-1

ARTICLE 32

The undersigned, being at least 10 registered voters in the Town of Sharon, hereby submit this petition to rezone that property located off "Old Post Road" and "Route One" in the Town of Sharon, Massachusetts:

To see if the Town will vote to amend the existing Zoning Map of the Town of Sharon as follows:

By removing the following from a Light Industrial District and establishing the same as a Rural 1 [R 1] District, as follows:

That certain parcel of land situated in Sharon, in the County of Norfolk and Commonwealth of Massachusetts, shown as Parcels 2 & 2-1, Assessor's Map 106 and Parcel 1, Assessors Map 107, bounded and described as follows:

Beginning as the southwest corner of said parcel, being on the easterly side of Old Post Road also being the northwest corner of the land now or formerly of Edward and Jane Warticki; thence N 11 13'41" E along the easterly side of Old Post Road a distance of 166.24 feet to an iron pipe, thence N 22 58'16" E along the easterly side of Old Post Road, a distance of 104.52 feet to a concrete bound being the northwest corner of said property, also being the common corner with the Walpole Country Club; thence S 76 46'37" E, by the land of Walpole Country Club, a distance of 1015.51 feet to a concrete bound; thence S 84 43'14" E, by the land of Walpole Country Club a distance of 492.66 feet to an iron pipe; thence S 11 26'00" W by the land now or formerly the Gutierrez Company, a distance of 84.48 feet to an iron pipe; thence S 04 11'00" W, by the land now or formerly the Gutierrez, a distance of 177.54 feet to an iron pipe; thence S 10 41'02" W, by the land now or formerly the Gutierrez Company, a distance of 117.48 feet, to a stake with a circle of stones thence S 18 49'00" E, by the land now or formerly the Gutierrez Company, a distance of 196.74 feet to an iron pipe, thence S 23 04'00" E by the land now or formerly the Gutierrez Company, a distance of 54.13 feet to the northerly side of General Edwards Highway (Route 1) thence S 43 30'34" W, along the northerly side of General Edwards Highway (Route 1) a distance of 444.86 feet to a Massachusetts highway bound; thence continuing along the north side of General Edwards Highway (Route 1), S 43 30'34" W a distance of 229.47 feet to a corner; thence, S 72 08'40" W, by the land now or formerly of Martha Raider and Portia Harcos, a distance of 12.94 feet to a corner; thence, N 78 23'30" W, by the land now or formerly of Martha Raider and Portia Harcos, a distance of 237.60 feet to a corner; thence N 09 33'30" E by the land now or formerly of Martha Raider and Portia Harcos, a distance of 287.14

feet to an iron pipe; thence, N 09 40'42" E, by the land now or formerly of Edward and Jane Warticki, a distance of 112.96 feet to an iron pipe, thence N 86 49'05" W, by the land now or formerly of Edward and Jane Warticki, a distance of 417.89 feet, thence N 70 13'40" W by the land now or formerly of Edward and Jane Warticki, a distance of 139.73 feet to a corner; thence N 76 46'37" W by the land now or formerly of Edward and Jane Warticki, a distance of 458.97 to a corner; thence by a curve to the left, having a radius of 30.00 feet and a length of 48.17, by the land now or formerly of Edward and Jane Warticki; to the point of beginning.

And as further shown on a plan of land entitled "Zoning Plan of Land in Sharon, Mass. Scale: 1" = 60' Jan 11, 1996" drawn by Younquist, James & Associates, Inc. 321 West Grove Street, Middleboro, Mass 02346.

Containing 786,734 square feet (18.06 acres) of land, more or less, according to said plan.

For title see deed of BARDAN CO., INC to BARDAN REALTY TRUST dated December 22, 1986 recorded at the Norfolk County Registry of Deeds in Book 7382, Page 699.

ROBERT A. SHELMERDINE

FINANCE COMMITTEE RECOMMENDATION:

As Planning Board hearings on this Article had not taken place prior to the publication deadline, the Finance Committee will make its recommendation at Town Meeting.

Article 33

To see if the Town will vote to amend the Zoning Bylaws of the Town of Sharon as follows:

I. By adding the following new Section 6330 and following:

6330. Site Plan Approval in Business A & C Districts

Projects Requiring Low Impact Site Plan Approval

Unless a site plan has been endorsed by the Planning Board, no building permit shall be issued in the Business A or the Business C District for:

a. The construction, addition, exterior alteration, or change in use of any structure, other than a single or two family dwelling, for uses permitted by right or by special permit as identified in Section 2323, provided that the entire project including the new construction, addition, exterior alteration or change in use requires more than 20 parking spaces on one lot or in one shared parking area, or

b. The construction, addition, exterior alteration, or change in use of any structure for uses permitted by special permit as identified in Section 2326, provided that the entire project including the new construction, addition, exterior alteration, or change in use requires more than 20 parking spaces on one lot or in one shared parking area.

The Planning Board will establish a two tier review process. In the opinion of the Planning Board, projects which meet a check list of criteria adopted by the Planning Board in its rules and regulations as part of the "Design Guidelines for Town Center Business District" shall be approved within 21 days and referred to the Building Department. In the opinion of the Planning Board, projects which do not meet this check list will be reviewed and a decision filed within 45 days of the determination that further review is required. Such guidelines may be adopted and/or amended from time to time by the Planning Board and are incorporated in this bylaw by reference.

Any alterations or improvements generated in compliance with the American with Disabilities Act shall be exempt.

6331. Purpose

The purpose of this by-law, in addition to and not in limitation of the purposes set forth in Article I, is to assist owners, tenants, and designers of buildings in the Town Center in strengthening the social and economic base, to make the district an attractive place in which to live, visit, work, and shop; to preserve property values, to prevent alterations or additions that are incompatible with the town center village vision portrayed in supporting guidelines, and to enhance the provision of safe and adequate circulation, parking, utilities and drainage.

6332. Application.

Each application for Site Plan Approval shall be submitted at a meeting of the Planning Board by the current owner of record, or such persons authorized in writing to act on behalf of such owner, accompanied by ten (10) copies of the site plan and ten (10) copies of the elevation plan . For projects which the Planning Board will review within the extended 45 day time period, the Board will transmit within five (5) days, one copy each to the Building Inspector, Board of Health, Conservation Commission, Board of Selectmen, Department of Public Works, Fire Department, Police Department, Sign Committee, and Historic District Commission.

6333. Required Site Plan Contents

All site plans shall be prepared by a registered architect, landscape architect, or professional engineer unless this requirement is waived by the Planning Board because of unusually simple circumstances. All site plans shall be prepared at a scale established by the Planning Board in the above referenced guidelines and adequate to show those items enumerated in section 6322 as well as the adequacy of fire and police protection and access. Elevation plans shall be prepared showing the part or portions of the structure visible from the street that provide the lot's frontage, showing the relationship of the structure to the structures on the lots on either side. The submission of site and building elevation plans shall be subject to such further rules relating to scale, dimensions, legend, form, and preparation as may from time to time be promulgated by the Planning Board.

6334. Procedures for Site Plan Review

The Planning Board shall, within 21 days of the submission, determine if the criteria in the Design Guidelines for the Town Center Business District, have been met and that further review is not required or that extended review within an additional 45 day time period is required.

If extended review is required, the Planning Board shall refer copies of the application and plans to those agencies and boards identified in Section 6332, who shall review the application and submit their recommendations and comments to the Planning Board. Failure of the Boards to make recommendations within 21 days of the referral of the application shall be deemed to be lack of opposition.

The Planning Board, after due consideration, shall take final action, consistent with section 6336, within forty-five (45) days

of its determination under the first paragraph of this Section 6334 unless the Planning Board determines an extension is necessary to provide an adequate review. Where special permits are required, the Planning Board and the Board of Appeals may start their process at the same time. The Planning Board will forward its determination to the Board of Appeals which may incorporate the Planning Board's decision into its decision.

6335. Site Plan Review Criteria

The site plan review criteria to be applied for projects located within Business A or the Business C Districts are summarized below and are portrayed in the document "Design Guidelines for the Town Center Business District".

1. *Site Design and its Relation to the Neighborhood:*

Buildings should be located to establish a uniform streetscape and to ensure that drives, parking areas, walks, service and septic uses have a functional, safe, and harmonious interrelationship, are compatible with the existing site features and adjacent buildings, and establish common public areas for circulation and seating. The Plan should protect adjoining premises and on-site residential uses against any possible detrimental design or site plan features. If within the Ground Water Resource Protection District, all related information should be provided and distributed by the applicant identifying measures to minimize cumulative impacts on municipal water supplies, including consideration of nitrate-nitrogen loadings.

2. *Building and Facade Design:* Buildings should relate in scale and design features to the surrounding buildings as well as to their location at corners or along view corridors. Design which is compatible with the promotion of architecture of a traditional New England Village downtown business district should be encouraged through the use of appropriate building materials, breaks in roof and wall lines, differentiation between ground floor commercial and upper floor residential uses.

3. *Parking, loading, auto service uses:* The plan shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways. Where appropriate, a traffic study will be undertaken to estimate average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for vehicles and pedestrians showing adequate access to and from the site, adequate circulation, and provision for off-street loading and unloading of vehicles, goods, products, materials and equipment incidental to the normal operation of the establishment or use within the

site.

4. *Landscaping, buffers, fencing, paving, lighting*: The plan shall identify landscaping which is complementary to the scale and location of the building and its relationship to the street and adjacent structures. Lighting, screening, paving materials should reenforce a New England Village theme.

6336. Final Action

The Planning Board's final action shall consist of either:

- a. A determination that the proposed project is in compliance with the criteria set forth in this bylaw;
- b. A denial for submission of incomplete information or for not having met the standards established for site plan review.
- c. Approval subject to any conditions, modifications, and restrictions as the Planning Board may deem necessary, consistent with the provisions of this bylaw.

6337. Enforcement and Implementation

- a. Any site plan approval issued under this section shall lapse within one (1) year if a substantial construction thereof has not commenced sooner, except upon application within one year and for good cause shown, such time period may be extended by the Planning Board and for one year.
- b. The Planning Board may periodically adopt or amend rules and regulations relating to the procedures and administration of this section including Design Guidelines for the Town Center Business District.

II. By substituting language in italics for wording in parentheses in the following sections:

2211. Authorization. [No building or structure or part thereof shall be erected, altered or extended and no premises shall be used except as provided in Section 2300, District Use Regulations, or as permitted by Section 6400 or exempted by Stature. Uses not listed are prohibited.]

No premises shall be used except as provided in Section 2300, District Use Regulations, and no building or structure or part thereof shall be erected, altered or extended and unless site plan approval, therefore, has been granted pursuant to Section 6330, or as permitted by Section 6400.

III. By adding the following new section 2213:

2213. Site Plan Approval in Business A and C Districts. New construction, addition, exterior alterations or changes of use in Business A and C Districts require Site Plan Approval by the Planning Board as provided in Section 6330.

IV. By deleting the following in Section 2463:

2463. Maximum Lot Coverage:

In Business A and C
and Professional Districts: No requirement.

and substituting therefor the following:

2463. Maximum Lot and Open Space Coverage:

Maximum lot coverage:

In Business A and C during site plan approval and Professional Districts:	As determined by Planning Board No requirement.
In Business B:	Solely for residence: 40%
	Other uses: 20%

Minimum Landscaped Open Space coverage:

In Business A and C Districts: 30%

The total landscaped area including landscaping, screening, pedestrian ways and areas, and bike pathways, may be reduced during site plan review to not less than fifteen (15) percent of the total lot area provided in landscaping, screening, and pedestrian and bike amenities. In approving any reduction, the Planning Board shall determine that the proposed amenities or facilities provide for the public benefit or convenience. The following are typical improvements which shall be deemed as public benefits or convenience in the business A and Business C Districts:

1. Street Plantings: Plantings are required along the entire street frontage for non-residential uses, except at drives, and except where neither a street setback nor a buffer zone is required. The required plantings should generally be located between the street and the build to-line.

2. Curb cuts: Consolidation of curb cuts, either on a single lot or between abutting lots resulting in better traffic circulation and improved traffic safety.

3. Parking area plantings: Vegetation meeting the parking lot standards should be undertaken. Trees and soil plots shall be so located as to provide visual relief and wind interruption within the parking area, and to assure safe patterns for internal circulation.

4. Screening: Dumpsters, refuse areas, and loading bays should be screened from the street and the adjacent businesses. Plantings should be supplemented by an opaque fence or wall at least six feet tall.

5. Septic System: The installation of an enhanced treatment capability or the provision by the petitioner of easements and agreements required in order to establish a shared septic system with enhanced treatment capability.

6. Building and Facade design: The building should be compatible with the promotion of architecture as described in the Design Guidelines for the Town Center Business District.

V. By deleting in Section

2464. Building Location:

(A) Street Setback:

the following:

[Any purpose in Business A and C and Professional District and non-residential purpose in Business B: Minimum ten (10) feet from street sideline.]

and substituting therefor the following:

Within the Business A and C Districts, a streetwall is defined through the setbacks of structure formed by the build-to line. No building should provide a front setback larger than the average of the front setbacks on lots abutting on either side, with a vacant lot (or a lot having no building within three hundred feet from the building in question), or an intersecting street being counted as though occupied by a building providing that required setback.

This required setback may only be used for landscaping, public seating, circulation, signage, and drives. The Board of Appeals can, subject to special permit, waive the requirement for a build-to line if this is necessary to provide public areas for pedestrian circulation and seating, and to ensure that criteria for site design as identified in the "Design Guidelines for the Town Center Business District" are achieved.

Any purpose in Business B: ten (10) feet from street sideline.

VI. By deleting in Section:

3100. Off -Street Parking and Loading

the following words in parenthesis:

3112. Location of Parking. All parking, including access thereto, which is accessory to uses within the Business A and C Districts shall be provided within the same district. [All required parking shall be provided on the same lot or lots as the principal use or uses to which it is accessory, except that off-street parking whose pedestrian entrance is within a two hundred (200) foot walk of the entrance to the business lot or lots it serves may be counted towards the minimum parking requirements in the following manner:]

and inserting in place thereof the following:

All required parking shall be provided on the same lot or lots as the principal use or uses to which it is accessory, except that off-street parking on another lot within a four- hundred (400) foot radius of the pedestrian entrance of a building may be counted towards the minimum parking requirements in the following manner:

VII. By deleting existing Section 3112(a) and substituting therefor the following:

(A) if the parking lot is privately owned, the parking spaces shall be credited to the owner, or to the several users thereof as formally agreed between them and the owner, and recorded on the deed to the parking lot, but no such parking lot shall be otherwise used or diminished in size except insofar as the Board of Appeals finds that the lot is no longer required by the users thereof;

VIII. By amending Section 3112(b) by

Adding language in italics and, where noted, substituting for wording in parentheses as follows::

(B) if the parking lot is publicly owned, each lot having business district frontage [within a two hundred foot walk of any pedestrian entrance to the parking lot] *within a four (400) hundred foot radius of any pedestrian entrance to the parking lot*, shall be, *subject to Board of Appeal approval*, credited with a proportion of the public parking spaces corresponding to the proportion of the private lot's business district frontage bears to the total business district frontage of all lots so situated which do not already meet the requirements for off-street parking. *In requesting credit for accessory parking in a public lot, the petitioner shall submit sufficient evidence of the adequacy of the public lot to accommodate the proposed parking.*

IX. By amending Section

3117. Required Landscaping: by

Substituting language in italics for wording in parentheses as follows:

(A) No parking or loading shall be permitted [within ten (10) feet of the side line of any street or way] *in the area between the front of the structure and the side lines of any way except by vote of the Planning Board or the Board of Appeals as the case may require during the site plan review process.*

X. By amending Section 3117(C) by adding the following words in italics:

(C) The total landscaped area maintained in lawns or ornamental plantings shall equal not less than thirty (30) percent of the total lot area *unless reduced by the Planning Board or Board of Appeals during site plan approval.* All areas not built over, paved or landscaped shall be maintained in natural vegetation. Where usable open space is required, it shall count in its entirety as part of the total landscaped area, even if partially paved for recreational uses as permitted by Subparagraph 4221 (c).

XI. By amending Sections 6321(a) and (c) by deleting the same and substituting the following:

6321. Applicability. Site Plan Approval under the requirements of this subsection is required in the following cases:

(a) In Business B and Light Industrial Districts, where the total area of the plan proposed exceeds ten (10) acres.

(c) In Business A, where there are more than twenty (20) parking spaces on one lot or in one shared parking area, the Board of Appeals will utilize the criteria established in section 6335 for site plan review in lieu of those identified for residential areas in section 6324.

XII. By deleting existing Section 6324, and substituting the following:

6324. Criteria.

(a) Protection of adjoining premises and on-site residential uses against any possible detrimental or offensive uses on the site, including unsightly or obnoxious appearance;

(b) convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent street, property or improvements;

(c) Adequacy of the methods of disposal for sewage, refuse or other wastes resulting from the uses permitted or permissible on the site, the methods of drainage for surface water, and of provisions for the removal of snow from circulation and parking areas;

(d) Adequacy of parking spaces for the off-street loading and unloading of vehicles, goods, products, materials and equipment incidental to the normal operation of the establishment or use;

(e) Adequacy of fire and police protection and access

(f) If within the Surface Water Resource Protection district, measures to minimize cumulative impacts on Lake Massapoag and its tributary streams, including consideration of nitrate-nitrogen loadings. All related information to be provided and distributed by the applicant.

(g) If within the Ground Water Resource Protection District, measures to minimize cumulative impacts on municipal water supplies, including consideration of nitrate-nitrogen loadings. All related information to be provided and distributed by the applicant.

XIII. By adding the following new Section 6335:

6335. Site Plan Review Criteria

The site plan review criteria to be applied for projects located within Business A and C Districts are summarized below and are portrayed in the document "Design Guidelines for the Town Center Business District".

1. Site Design and its Relation to the Neighborhood:

Buildings should be located to establish a uniform streetscape and to ensure that drives, parking areas, walks, service and septic uses have a functional, safe, and harmonious interrelationship, are compatible with the existing site features and adjacent buildings, and establish common public areas for circulation and seating. The Plan should protect adjoining premises and on-site residential uses against any possible detrimental design or site plan features;

2. Building and Facade Design: Buildings should relate in scale and design features to the surrounding buildings as well as to their location at corners or along view corridors. Design which is compatible with the promotion of architecture of a traditional New England Village downtown business district should be encouraged through the use of appropriate building materials, breaks in roof and wall lines, differentiation between ground floor commercial and upper floor residential uses.

3. Parking, loading, auto service uses: The plan shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways. Where appropriate, a traffic study will be undertaken to estimate average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for vehicles and pedestrians showing adequate access to and from the site, adequate circulation, and provision for off-street loading and unloading of vehicles, goods, products, materials and equipment incidental to the normal operation of the establishment or use within the site.

4. Landscaping, buffers, fencing, paving, lighting: The plan shall identify landscaping which is complementary to the scale and location of the building and its relationship to the street and adjacent structures. Lighting, screening, paving materials should reenforce a New England Village theme.

or act in any way relative thereto.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

This Article establishes a site plan review process and a set of design guidelines to enhance redevelopment in the Post Office Square commercial district. The proposed bylaw changes are expected to permit a more harmonious, safe and economically viable commercial area.

The Finance Committee recommends approval. Vote: 8-0-1

ARTICLE 34

To see if the Town will vote to adopt the following new Proposed General By-Law Groundwater Protection Regulation, as Article 33 of the General By-Law of the Town of Sharon, or act in any way relating thereto:

Section I Purpose

Whereas:

- siting of land uses that have the potential to release hazardous waste, petroleum products or other contaminants significantly increases the risk of contamination; and;
- poor management practices, accidental discharges, and improper maintenance of these facilities may lead to the release of pollutants; and
- discharges of hazardous wastes, leachate, pathogens, and other pollutants have repeatedly threatened surface and ground water quality throughout Massachusetts; and
- surface and ground water resources in the Town of Sharon contribute to the towns' drinking water supplies

therefore, the Town of Sharon adopts the following regulation, under its authority as specified in Section II, as preventative measure for the purpose of:

- preserving and protecting the Town's drinking water resources from discharges of pollutants; and
- minimizing the risk of public health and the environment to the Town due to such discharge

Section II. SCOPE OF AUTHORITY

The Town of Sharon adopts the following regulation pursuant to authorization granted by M.G.L. Ch. 40. The regulation shall apply, as specified herein, to all applicable facilities within the Zone II's and/or the Interim Wellhead Protection Areas (IWPA). whichever is the accepted area of protection around the drinking water resources of the town. This regulation is in addition to the provisions of Section 4500 (Water Resource Protection District) of the Town of Sharon Zoning By-Laws, Article 12A of the General By-Laws (stripping or removal of earth materials) and any other By-Law, Regulation, Rule, or ordinance of the Town of Sharon or its Boards or Commissions.

Section III. DEFINITIONS

Commercial fertilizers: Any substance containing one or more recognized plant nutrients which is used for plant nutrient content and which is designed for use, or claimed by its manufacturer to have value in promoting plant growth. Commercial fertilizers do not include unmanipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum.

Department: The Massachusetts Department of Environmental Protection.

Discharge: The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, incineration, or placing of toxic or hazardous material or waste upon or into any land or water so that such hazardous waste or any constituent thereof may enter the land or waters of the Commonwealth. Discharge includes, without limitation, leakage of such materials from failed or discarded containers or storage systems and disposal of such materials into any on-site leaching structure or sewage disposal system.

Hazardous Material: A product, waste or combination of substances which because of its quantity, concentration, or physical, chemical, toxic, radioactive, or infectious characteristics may reasonably pose a significant, actual, or potential hazard to human health, safety, welfare, or the environment when improperly treated, stored, transported, used, disposed of, or otherwise managed. Hazardous materials include, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as "toxic" or "hazardous" under Massachusetts General Laws (M.G.L.) Chapter 21C and 21E using the Massachusetts Oil and Hazardous Substances List (310 CMR 40.0000). The definition may also include acids and alkalis, solvents, thinners, and pesticides.

Historical High Groundwater Table Elevation: A groundwater elevation which is determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

Interim Wellhead Protection Areas (IWPA): For public supply wells or wellfields that lack a Department approved Zone II, the Department will apply an interim wellhead protection area. This interim wellhead protection area shall be a one-half mile radius measured from the well or wellfield for sources whose approved pumping rate is 100.00 gpd or greater. For wells that pump

less than 100,000 gpd, the IWPA radius is proportional to the well's approved daily volume following the IWPA Chart as referenced in Division Water Supply Policy 92-01.

Landfill: A facility established (in accordance with a valid site assignment) for the purposes of disposing solid waste into or on the land, pursuant to 310 CMR 19.006.

Non-sanitary wastewater: Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage, including, but not limited to activities specified in the Standard Industrial Classification (SIC) Codes set forth in 310 CMR 15.004 (6).

Open Dump: A facility which is operated or maintained in violation of the Resource Conservation and Recovery Act (42 U.S.C. 4004 (a)(b), or the regulations and criteria for solid waste disposal.

Septage: The liquid, solid, and semi-solid contents of privies, chemical toilets, cesspools, holding tanks, or other sewage waste receptacles. Septage does not include any material which is a hazardous waste, pursuant to 310 CMR 30.000.

Sludge: The solid, semi-solid, and liquid residue that results from a process of wastewater treatment or drinking water treatment. Sludge does not include grit, screening or grease and oil which are removed at the headworks of a facility.

Treatment Works: Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation or reuse of waterborne pollutants, but not including any works, receiving a hazardous waste from off the site of the works for the purpose of treatment, storage or disposal.

Use of Toxic or Hazardous Material: The handling, generation, treatment, storage, or management of toxic or hazardous materials.

Very Small Quantity Generator: Any public or private entity, other than residential, which produces less than 27 gallons (100 kilograms) a month of hazardous waste or waste oil, but not including any acutely hazardous waste as defined in 310 CMR 30.136.

Waste Oil Retention Facility: A waste oil collection facility for automobile service stations, retail outlets, and marinas which is sheltered and has adequate protection to contain a spill, seepage, or discharge, of petroleum waste products in accordance with M.G.L. c. 21. s. 52A.

Section IV. PROHIBITIONS

A. Notwithstanding any land uses which are otherwise permitted by local, state and/or other federal laws, the siting of any of the following is prohibited in the Zone II or IWPA:

1. landfills.
2. open dumps.
3. sludge and septage monofils, and
4. stockpiles (disposal) of chemically treated snow and ice that have been removed from highways and roadways outside the Zone II.

B. Facilities for the treatment or disposal of non-sanitary wastewater are prohibited, with the following exceptions:

1. Replacement or repair of an existing system is exempt if the existing design capacity is not exceeded.
2. Treatment works approved and in compliance with M.G.L. c.21E and 310 CMR 40.000 designed for the treatment of contaminated ground or surface waters.

C. Facilities that generate, treat, store or dispose of hazardous waste are prohibited, with the following exceptions:

1. very small quantity generators.
2. household hazardous waste collection centers or collection events.
3. waste oil retention facilities, and
4. treatment works for the restoration of contaminated ground or surface waters in compliance with M.G.L. c. 21E and 310 CMR 40.000.

D. Removal of soil, loam, sand, gravel, or any other mineral substances within four feet of the historical high groundwater table elevation is prohibited with the following exceptions:

1. substances which are removed and redeposited within 45 days of removal on site to achieve a final grade greater than four feet above the historical high water mark; and
2. excavations for the construction of building foundations or the installation of utilities.

E. Land uses that result in impervious cover of more than 15% or 2500 feet of any lot, whichever is greater, are prohibited, unless a system of artificial recharge or precipitation is provided that will not result in the degradation of groundwater quality.

Section V. CONDITIONAL PROHIBITIONS

The storage of certain waste materials, chemicals, and petroleum products is prohibited except if contained in accordance with the following requirements.

1. Storage of sludge and septage is prohibited unless storage is in compliance with 310 CMR 32.00.
2. Storage of roadway de-icing chemicals, (sodium chloride, chemically treated

abrasives, or other chemicals) and the storage of chemical fertilizers are both prohibited, unless the storage is in a structure that prevents the generation and release of contaminants or contaminated runoff.

3. Storage of animal manure is prohibited unless covered or contained in accordance with the standards and guidelines of the US Soil Conservation Service.
4. Storage of liquid hazardous materials is prohibited unless the materials are either in a free standing container within a building, outdoors, or in a free standing covered container above ground level with spill containment capacity of 100% of the volume.
5. Storage of any type of liquid petroleum products is prohibited, unless any of the following applies:
 - a. the products are incidental to normal household use, including outdoor maintenance, or for the heating of a structure;
 - b. waste oil retention facilities;
 - c. emergency generators; and
 - d. treatment works in compliance with M.G.L. c 21E and 310 CMR 40.000 designed for the restoration of contaminated ground or surface waters.

Storage of the exempted liquid petroleum products (5.a through 5.d) must be either in a free standing container within a building, outdoors, or in a free standing covered container above ground level with spill containment capacity of 100% of the volume stored.

6. Compliance with all provisions of this regulation must be accomplished in a manner consistent with Massachusetts Plumbing , Building, and Fire Code requirements.

Section VI. EFFECTIVE DATES FOR ALL FACILITIES

The effective date of this regulation is the date of adoption of the regulation.

1. As of the effective date of the regulation, all new construction and/or applicable change of use within the Town of Sharon shall comply with the provisions of this regulation.
2. Certification of conformance with the provisions of this regulation by the Town Engineer acting as Agent for the Board of Selectmen shall be required prior to issuance of construction and occupancy permits.

Section VII. PENALTIES

Failure to comply with provisions of this regulation will result in the levy of fines of not less than

\$200.00, but no more than \$1000.00. Each day's failure to comply with the provisions of this regulation shall constitute a separate violation.

Section VIII. SEVERABILITY

Each provision of this regulation shall be construed as separate to the end that, if any provision, or sentence, clause or phrase thereof, shall be held invalid for any reason, the remainder of that section and all other sections shall continue in full force and effect.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

This bylaw is a suggested guide given to the Town by the Department of Environmental Protection for protection of public water supply sources.

The Finance Committee recommends approval. Vote: 5-2-2

ARTICLE 35

To see if the Town will vote to accept Section 4, Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which authorizes additional real estate exemptions to be granted to persons who qualify for property tax exemptions under Clauses 17, 17C, 17C ½, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, and 41C of Section 5 of Chapter 59 in an amount equal to 100% or such lesser uniform percentage as approved by the Town to be effective for the fiscal year beginning July 1, 1996 and ending June 30, 1997, or act in any way relating thereto.

DEPARTMENT OF VETERANS' SERVICES

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article will continue the authorization to the Board of Assessors to grant additional real estate tax exemptions for certain specific classes of veterans and their survivors, legally blind and qualified elderly.

The Finance Committee recommends approval. Vote: 6-0-2

ARTICLE 36

To see if the Town will vote to raise and appropriate a sum of money to be added to the Conservation Commission Land Acquisition Account so that the Commission may acquire in the name of the Town the fee and/or a Conservation Restriction on the following parcels of land:

That property identified as 169R Mansfield Street and South Walpole Street consisting of 15.9 acres (169R Mansfield Street) and .23 acres (South Walpole Street) and further described as follows:

Parcel One: A parcel of land in Sharon, Norfolk County, 15 $\frac{3}{4}$ acres 10 rods as formerly shown on a plan Book 73-P-21 on file in Assessor's Office, Sharon, Massachusetts, now shown as Parcel 2 on Map 14.

Parcel Two: A parcel of land in Sharon, Norfolk County, consisting of approximately twenty-three hundredths (0.23) acres lying between Interstate 95 and Upper Pond and now shown as Parcel 19 on Town of Sharon Tax Map No. 57.

or as the same may be more particularly described, and to determine whether this appropriation shall be raised by borrowing or otherwise; and to authorize the Conservation Commission and/or the Board of Selectmen to enter into such agreements and execute such documents as may be necessary to accomplish the foregoing,

or act in any way related thereto.

CONSERVATION COMMISSION

FINANCE COMMITTEE RECOMMENDATION:

Because Town Counsel had not finished its review of the Article prior to the publication deadline of the Warrant, the Finance Committee will make its recommendation at Town Meeting.

ARTICLE 37

To see if the Town will vote to amend the General By-Laws of the Town of Sharon by adopting the following Demolition of

Historically Significant Buildings By-Law as Article 34 of said General By-Laws of the Town of Sharon,

or act in any way related thereto.

Intent and Purpose

This by-law is enacted for the purpose of preserving and protecting significant buildings within the Town which are outside Local Historic Districts and to encourage owners of such buildings to seek out persons who might be willing to purchase, preserve, rehabilitate, or restore such buildings rather than demolish them. To achieve these purposes the Sharon Historical Commission (the "Commission") is empowered to advise the Building Inspector with respect to the issuance of permits for demolition of significant buildings. The issuance of demolition permits for significant buildings is regulated as provided in this by-law.

Definitions

1. "Building" - any combination of materials forming a shelter for persons, animals, or property.
2. "Demolition" - any act of pulling down, destroying, removing, or razing a building or any portion thereof, or commencing the work of total or substantial destruction with the intent of completing the same.
3. "Significant building" - any building or portion thereof which:
 - a. in whole or in part was built fifty (50) or more years prior to the date of the application for the demolition permit or is of unknown age; or
 - b. is listed on, or is within an area listed on, the National Register of Historic Places, or is the subject of a pending application for listing on said National Register; or
 - c. is included in the Cultural Resources Inventory prepared by the Commission including those buildings listed for which complete surveys may be pending; or
 - d. has been determined by vote of the Commission to be historically or architecturally significant in terms of period, style, method of building construction, or association with a famous architect or builder provided that the owner of such a building and the Building Inspector have been notified, in hand or by certified mail, within ten (10) days of such vote.

4. "Commission" - the Sharon Historical Commission.

Procedure

1. Upon receipt of an application for a demolition permit for a significant building, the Building Inspector shall forward a copy thereof to the Commission. No demolition permit shall be issued at that time.
2. Within 14 days, the Commission shall make an Initial Determination as to the historic significance of the building. The Initial Determination shall be positive if the structure is historically inventoried or to be inventoried by the Historical Commission. Otherwise the Determination is negative.
3. If the Initial Determination is negative, the Building Inspector may issue the permit. If the determination is positive, the Commission shall fix a reasonable time for a public hearing on the application and shall give public notice thereof by publishing notice of the time, place, and purpose of the hearing in a local newspaper at least fourteen days before said hearing and also within seven days of said hearing, mail a copy of said notice to the applicant, to the owners of all property deemed by the Commission to be affected thereby as they appear on the most recent local tax list, and to such other persons as the Commission shall deem entitled to notice.
4. If, after such hearing, the Commission determines that the demolition of the significant building would not be detrimental to the historical or architectural heritage or resources of the Town, the Commission shall so notify the Building Inspector within ten (10) days of such determination. Upon receipt of such notification, or after the expiration of fifteen days (15) from the date of the conduct of the hearing if he/she has not received notification from the Commission, the Building Inspector may, subject to the requirements of the State Building Code and any other applicable laws, by-laws, rules, and regulations, issue the demolition permit.
5. If the Commission determines that the demolition of the significant building would be detrimental to the historical or architectural heritage or resources of the Town, such building shall be considered a preferably-preserved significant building. The Commission shall notify Massachusetts Historic Commission and other interested parties requesting assistance in preservation funding and adaptive reuses.

6. Upon a determination by the Commission that the significant building which is the subject of the application for a demolition permit is a preferably-preserved significant building, the Commission shall so advise the applicant and the Building Inspector, and no demolition permit may be issued until at least six months after the date of such determination by the Commission.
7. Notwithstanding the preceding sentence, the Building Inspector may issue a demolition permit for a preferably-preserved significant building at any time after receipt of written advice from the Commission to the effect that either:
 - (i) the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate, or restore such building, or
 - (ii) the Commission is satisfied that for at least six months the owner has made continuing, bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate, and restore the subject building, and that such efforts have been unsuccessful.

Enforcement and Remedies

1. The Commission and the Building Inspector are each authorized to institute any and all proceedings in law or equity as they deem necessary and appropriate to obtain compliance with the requirements of this by-law, or to prevent violation thereof.
2. No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this by-law for a period of six months after the date of the completion of such demolition. As used herein "premises" includes the parcel of land upon which the demolished significant building was located.

Severability

If any section, paragraph, or part of this by-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

HISTORICAL COMMISSION

FINANCE COMMITTEE RECOMMENDATION:

This Article is submitted for the purpose of giving the Sharon Historical Commission an avenue to preserve from demolition buildings they determine to have historical significance. The Article allows for a maximum of six months to delay demolition while active efforts will be taken to assist the owner in selling or taking other action which will retain the building. If it is determined that demolition is reasonable, then the permit to demolish will be granted prior to the allowable six month processing time.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 38

To see if the Town will vote to revise Article 17, § 8, "Regulation of Dogs" of the General By-Laws as follows:

By replacing the existing section with the following:

SECTION 8: Violation of this by-law other than is provided in Section 6 shall be punished by a fine of twenty-five dollars (\$25.00) for a first offense, and fifty dollars (\$50.00) for a second or subsequent offense,

or act in any way relative thereto.

ANIMAL CONTROL OFFICER

FINANCE COMMITTEE RECOMMENDATION:

This Article provides for a reasonable fine increase on those occasions the Animal Control Officer must charge a dog owner for a leash law or other violation.

The Finance Committee recommends approval. Vote: 7-0-1

ARTICLE 39

To see if the Town will authorize the Board of Selectmen to foster regional approaches to solving governmental problems and to

delivering services more effectively and efficiently by entering into an inter-municipal agreement with other cities and towns lying within Bristol, Norfolk, and Plymouth Counties to formally create and implement the Southeastern Regional Services Group, such Agreement to be in conformance with and subject to the provisions of Chapter 40, § 4A of the Massachusetts General Laws and to contain such other terms and conditions as are mutually acceptable to the Chief Executive Officers of the SERSG member communities,

or act in any way relative thereto.

A draft copy of the proposed SERSG inter-municipal agreement is on file with the Town Clerk.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION:

Acceptance of this Article will formalize the Town's participation in the Southeastern Regional Services Group (SERSG) As a pilot program, SERSG has proven to be successful at reducing costs to the Town through joint purchasing and other regional initiatives.

The Finance Committee recommends approval. Vote: 7-0-1

And you are directed to serve this Warrant by posting attested copies of the same in accordance with the Town By-Laws.

Hereof fail not, and make due return of this Warrant with your doings thereon, at the time and place of meeting aforesaid.

Give under our hands this 11th day of April, A.D., 1996.

HENRY D. KATZ, Chairman
RONI THALER
NORMAN KATZ

BOARD OF SELECTMEN
SHARON, MASSACHUSETTS

A True Copy: JOSEPH S. BERNSTEIN, Constable
Sharon, Massachusetts

Town of Sharon
FY97 Article 5 Recapitulation

Budget #	Department	FY95 Appropriated	FY96 Appropriated	FY97 Recommendation	FY97 Detailed	Recommended Increase / (Decrease)	% Change
01-114	Moderator	\$50	\$50	\$50		\$0	0.00%
01-122	Board of Selectmen	\$142,272	\$154,342	\$165,196	\$1,300	\$10,854	7.03%
	Selectmen's salaries				\$143,577		
	other salary / wages				\$20,319		
	expenses						
01-131	Finance Committee	\$4,804	\$4,987	\$4,516	\$2,666	(\$481)	-9.63%
	salaries / wages				\$1,850		
	expenses						
01-132	Reserve Fund	\$350,000	\$350,000	\$350,000		\$0	0.00%
01-135	Accountant	\$123,443	\$128,400	\$130,400	\$124,448	\$2,000	1.56%
	salaries / wages				\$5,952		
	expenses						
01-141	Board of Assessors	\$121,409	\$127,479	\$151,793	\$5,100	\$24,314	19.07%
	Assessor's salaries				\$107,904		
	other salary / wages				\$38,789		
	expenses						
01-145	Treasurer	\$194,743	\$204,340	\$218,656	\$180,821	\$14,516	7.10%
	salaries / wages				\$38,035		
	expenses						
01-151	Law	\$69,000	\$69,000	\$69,000		\$0	0.00%
01-152	Personnel Board	\$3,316	\$3,316	\$3,203	\$2,865	(\$113)	-3.41%
	salaries / wages				\$318		
	expenses						
01-155	Data Processing	\$101,411	\$101,411	\$69,925	\$53,525	(\$1,466)	-1.47%
	salaries / wages				\$46,400		
	expenses						
01-161	Town Clerk	\$65,965	\$77,904	\$81,100	\$44,100	\$3,166	4.10%
	Town Clerk's salary				\$30,839		
	other salary / wages				\$6,161		
	expenses						
01-162	Election & Registration	\$53,141	\$51,364	\$59,660	\$43,528	\$6,296	16.15%
	salaries / wages				\$16,132		
	expenses						

Town of Sharon
FY97 Article 5 Recapitulation

Budget #	Department	FY95 Appropriated	FY96 Appropriated	FY97 Recommendation	FY97 Detailed	Recommended Increase / (Decrease)	% Change
01-171	Conservation Comm. salaries / wages expenses	\$25,005	\$27,505	\$28,538	\$24,285 \$4,253	\$1,033	3.76%
01-172	Lake Mgt. Committee	\$1,000	\$1,000	\$1,000		\$0	0.00%
01-175	Planning Board salaries / wages expenses	\$14,677	\$14,667	\$12,986	\$3,738 \$9,250	(\$1,681)	-11.46%
01-176	Board of Appeals salaries / wages expenses	\$2,800	\$1,000	\$6,000	\$3,000 \$3,000	\$5,000	500.00%
01-180	Develop. & Ind. Comm.	\$1	\$1	\$1		\$0	0.00%
01-186	Affirmative Action	\$50		\$0		\$0	0.00%
01-195	Town Report salaries / wages expenses	\$8,000	\$8,200	\$8,200	\$150 \$8,050	\$0	0.00%
01-199	Sign Committee	\$50	\$50	\$50		\$0	0.00%
01-210	Police salaries / wages expenses	\$1,484,626	\$1,582,145	\$1,664,798	\$1,482,482 \$181,316	\$82,653	5.22%
01-220	Fire out-of-state travel	\$865,707	\$909,893	\$937,019	\$1,000	\$27,126	2.98%
01-231	Ambulance salaries / wages expenses	\$79,744	\$86,887	\$89,220	\$874,463 \$62,556	\$2,333	2.69%
01-244	Sealer of Wts & Measures ambulance reserve	\$1,530	\$1,530	\$1,530	\$39,000 \$6,045 \$44,175	\$0	0.00%
01-249	Animal Inspector	\$1,000	\$1,000	\$1,000	\$1,400 \$130	\$0	0.00%
01-291	Civil Defense	\$6,383	\$7,000	\$7,500		\$500	7.14%

Town of Sharon

FY97 Article 5 Recapitulation

Budget #	Department	FY95 Appropriated	FY96 Appropriated	FY97 Recommendation	FY97 Detailed	Recommended Increase / (Decrease)	% Change
01-292	Animal Control	\$34,550	\$35,577	\$36,671		\$1,094	3.08%
	salaries / wages expenses				\$28,311		
01-300	Education				\$8,360		
5320	SE Voc. Tech. assessment	\$93,271	\$70,086	\$114,250		\$44,164	63.01%
5321	SE Voc. Tech. tuition	\$3,500	\$7,500	\$8,200		\$700	9.33%
01-310	School	\$13,416,432	\$14,466,856	\$15,786,930		\$1,320,074	9.12%
01-401	Public Works	\$1,297,273	\$1,389,080	\$1,460,219		\$71,139	5.12%
	salaries / wages				\$1,081,142		
421/422	highway administration				\$97,245		
423	winter maintenance				\$94,200		
426	road machinery				\$82,732		
427	gasoline & fuel				\$28,200		
428	facility maintenance				\$75,700		
429	forestry & grounds				\$1,000		
01-480	Street Lights	\$257,960	\$271,950	\$269,430		(\$2,520)	-0.93%
01-510	Health	\$150,633	\$172,257	\$138,675		(\$33,582)	-19.50%
	salaries / wages expenses				\$73,874		
01-541	Council on Aging	\$63,994	\$69,625	\$76,918		\$7,293	10.47%
	salaries / wages expenses				\$67,768		
01-543	Veteran's Agent	\$17,563	\$12,307	\$13,154		\$847	6.86%
	salaries / wages expenses				\$9,150		
01-544	Veterans' Graves	\$1,500	\$1,500	\$1,600		\$100	6.67%
01-545	Commission on Disability	\$500	\$500	\$500		\$0	0.00%
01-547	Housing Partnership		\$200	\$200		\$0	0.00%
01-610	Library	\$417,190	\$439,184	\$465,254		\$26,070	5.94%
	salaries / wages expenses				\$304,270		
01-630	Recreation	\$217,423	\$231,838	\$251,659		\$19,821	8.55%
	salaries / wages expenses				\$160,984		
					\$198,479		
					\$53,180		

Town of Sharon
FY97 Article 5 Recapitulation

Budget #	Department	FY95 Appropriated	FY96 Appropriated	FY97 Recommendation	FY97 Detailed	Recommended Increase / (Decrease)	% Change
01-691	Historical Commission	\$400	\$400	\$400		\$0	0.00%
01-692	Community Celebrations	\$1,200	\$1,200	\$1,300		\$100	8.33%
01-920	Insurance	\$2,102,403	\$2,073,648	\$2,006,133		(\$67,515)	-3.26%
01-914	FICA: Medicare	\$91,000	\$134,171	\$150,000		\$15,829	11.80%
01-915	FICA: Social Security	\$54,000	\$48,523	\$70,000		\$21,477	44.26%
01-710	Debt: Principal	\$1,805,000	\$2,142,000	\$2,288,000		\$146,000	6.82%
01-715	Debt: Interest	\$704,424	\$908,202	\$912,224		\$4,022	0.44%
Total Operating Budget		\$24,450,463	\$26,390,085	\$28,143,258		\$1,753,173	6.64%
28-450	Water Division	\$1,222,173	\$1,333,081	\$1,322,387		(\$10,694)	-0.80%

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**TOWN OF SHARON
SHARON, MASS 02067**



BULK RATE U.S. POSTAGE PAID PERMIT NO. 13									

**POSTAL PATRON
SHARON, MA.
02067**